

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA, et al., *ex*
rel. WJFE LLC.,

Plaintiff,

v.

FERRING PHARMACEUTICALS, INC.
and FERRING INTERNATIONAL
PHARMASCIENCE CENTER, U.S., INC.,

Defendants.

Civil Case No. 3:12-CV-00542

Judge Sharp
Magistrate Judge Knowles

STIPULATION OF DISMISSAL WITH PREJUDICE

The present action was filed under the qui tam provisions of the False Claims Act, 31 U.S.C. § 3729 *et seq.*, by Relator WJFE LLC (“Relator”) against Ferring Pharmaceuticals, Inc. and Ferring International PharmaScience Center, U.S., Inc.. (“Defendants”) (collectively, the “Parties”). Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and the qui tam provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), the Parties hereby stipulate, through their undersigned counsel, to the entry of an order dismissing with prejudice all claims asserted by Relator on behalf of itself, its members, the United States and the Plaintiff States against the Defendants in this action; provided, however, that dismissal with respect to the United States and the Plaintiff States shall be without prejudice. The United States and Plaintiff States, which elected not to intervene in this action, have represented to the Parties that they consent to the dismissal of this action with prejudice as to the Relator and its members, and without prejudice as to the United States and the Plaintiff States. The Parties request that, pursuant to 31 U.S.C. § 3730(b)(1), the Court permit time for the United States and the Plaintiff States to file their written consent to dismissal.

The Parties respectfully request that, after the United States and Plaintiff States file their written consent to the dismissal, the Court enter an order in the form of the proposed order being submitted to today.

September 4, 2014

Respectfully submitted,

ATTORNEYS FOR RELATOR

ATTORNEYS FOR DEFENDANTS

/s/ David W. Garrison

David W. Garrison
Scott P. Tift
BARRETT JOHNSTON, LLC
Bank of America Plaza
414 Union Street, Suite 900
Nashville, TN 37219
Telephone: (615) 244-2202
Facsimile: (615) 252-3798
dgarrison@barrettjohnston.com
stift@barrettjohnston.com

Stephen A. Weiss
Eric H. Jaso
James A. O'Brien III
SEEGER WEISS LLP
77 Water Street
New York, NY 10005
Telephone: (212) 584-0700
Facsimile: (212) 584-0799
sweiss@seegerweiss.com
jobrien@seegerweiss.com
ejaso@seegerweiss.com

W. Scott Simmer
Andrew M. Miller
BLANK ROME LLP
600 New Hampshire Avenue N.W.
Washington, DC 20037
Telephone: (202) 772-5800
Facsimile: (202) 772-8432
simmer@blankrome.com
miller-a@blankrome.com

/s/ Brian D. Roark

Brian D. Roark
John Kelly (pro hac vice)
John C. Eason
BASS, BERRY & SIMS PLC
150 Third Ave. South, Ste. 2800
Nashville, Tennessee 37201-3001
Telephone: (615) 742-6200
Facsimile: (615) 742-0442
broark@bassberry.com
jkelly@bassberry.com
jeason@bassberry.com

Kirk Ogrosky (pro hac vice)
Jeffrey L. Handwerker (pro hac vice)
Marilyn May (pro hac vice)
Murad Hussain (pro hac vice)
ARNOLD & PORTER, LLP
555 Twelfth St., NW
Washington, DC 20004
Telephone: (202) 942-5000
Facsimile: (202) 942-5999
Kirk.Ogrosky@aporter.com
Jeffrey.Handwerker@aporter.com
Marilyn.May@aporter.com
Murad.Hussain@aporter.com

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served upon opposing counsel, via the Court's CM/ECF e-mail notification system, on this the 4th day of September, 2014:

John-David H. Thomas
Assistant United States Attorney
United States Attorney's Office
110 Ninth Avenue South, Suite A961
Nashville, TN 37203

Timothy P. Harlan
Assistant Attorney General
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, TN 37202

Stephen A. Weiss
James A. O'Brien III
Eric H. Jaso
Seeger Weiss LLP
77 Water Street
New York, NY 10005

W. Scott Simmer
Andrew M. Miller
Blank Rome LLP
600 New Hampshire Avenue N.W.
Washington, DC 20037

David W. Garrison
Scott P. Tift
Barrett Johnston, LLC
414 Union Street, Suite 900
Nashville, TN 37219

Kirk Ogrosky
Jeffrey L. Handwerker
Marilyn May
Murad Hussain
ARNOLD & PORTER, LLP
555 Twelfth St., NW
Washington, DC 20004

/s/ Brian D. Roark